

Remarks/Arguments:

Claims 1-21 are pending. Claims 2, 3, 5, 20 and 21 stand rejected. Applicants acknowledge with appreciation the indication that claims 1, 4, and 6-19 are allowed. By this response, applicants have amended claims 2, 3, 5, 20 and 21.

Rejections Under 35 U.S.C. § 103

The Office Action sets forth at page 2, paragraph 3, "Claims 2-3, 5 and 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kircher et al. (US 6,975,924) in view of de la Huerga (US 7,006,894) and further in view of Bloom (6,070,761)." Applicants respectfully traverse this rejection for the reasons set forth below.

Applicants' invention, as recited in claim 2, includes features not disclosed or suggested by cited prior art, namely:

...determining whether said plurality of source solutions conform to a predetermined mounting order on said compounding device...(emphasis added)

This feature is described in applicants' specification, e.g., at page 18, lines 1-22, page 28, line 29 through page 29, line 12, and page 30, lines 5-8.

The Office relies upon Kircher as disclosing "determining whether said plurality of source solutions conform to a predetermined configuration;...at last one of providing an alert to an operator and preventing compounding based on said determining step;...accepting mixture inputs for one or more of said plurality of source solutions;...and urging at least a portion of at least one of said plurality of source solutions into said mixture receptacle based on said mixture inputs to form said compounded mixture..." The Office readily admits, however, that Kircher does not disclose certain limitations of applicants' claim but relies upon de la Huerga for disclosing "...determining respect expiration dates of said plurality of source solutions;...at least one of providing a warning and preventing use of any of said plurality of source solutions based on such determination step..." The Office also readily admits that neither Kircher nor de la Huerga disclose certain limitations of applicants' claim but relies upon Bloom for disclosing "determining a predetermined installation configuration on said compounding device and alerting an operator." Applicants respectfully disagree with the Office's position that Bloom's disclosure of disabling a fluid flow cassette when an access door is opened is the same of applicants' predetermined installation configuration of source solutions. In an effort to further prosecution, however, applicants have amended claim 2 to

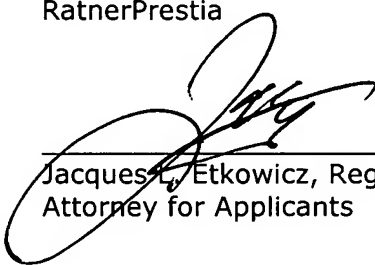
set forth determining whether said plurality of source solutions conform to a predetermined mounting order on the compounding device. None of the cited prior art disclose or suggest this feature. Accordingly, applicants respectfully request that the rejection of claim 2 as being unpatentable over Kircher in view of de la Huerga and further in view of Bloom be withdrawn and the claim allowed.

Although not identical, claims 3, 5, 20 and 21 include features similar to those of claim 2 and, thus, are likewise not subject to rejection for at least the reasons set forth above with respect to claim 2.

In view of the amendments and remarks set forth above, applicants submit that the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

RatnerPrestia



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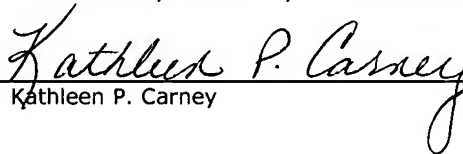
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The Director is hereby authorized to charge or credit Deposit Account No. **18-0350** for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 6, 2007.



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